

**BOARD OF PARK COMMISSIONERS
REGULAR MEETING
Park and Recreation Department
Conference Room, 11th Floor, City Hall
Monday, February 13, 2006
3:30 p.m.**

Present: Cherylane Adams*, Dennis Brunner, Glen Dey, Doug Leeper and Janet Miller

Absent: Mick Tranbarger

Also Present: Patty Larraga - Institute of Minority Health, Education and Research (IMHER) and El Zocalo Community Center, Inc.; Brenda Kelley - United Methodist Outreach Service (UMOS) and El Zocalo Community Center, Inc.; Chris Navarro – Executive Director, La Familia Senior Center; Carlos Contreras - President, El Pueblo Neighborhood Association; Bill Gardner – Gardner Design; Steve Perry – McCluggage Van Sickel & Perry; Mert Buckley; Curtis Harshfield; Kathy Dittmer and M.S. Mitchell – Riverside Citizens Association; Rosemary Weber, Allison Hamm, Janice McKinney – GreenWay Alliance; Paula Givens - President, McAdams Neighborhood Association; Larry Ross; Mike North – Law Department; and Doug Kupper, Karen Walker, Larry Hoetmer, and Maryann Crockett (staff)

President Miller called the meeting to order at 3:35 p.m.

PUBLIC AGENDA

President Miller asked if there were any items for the public agenda. The following individual spoke:

- Patty Marlett – President, Wichita Audubon Society - stated that Oak Park was an important bird habitat that was unique in the City as well as a stopping off point for migratory birds. She said she believes use of Oak Park by the Frisbee disc golf and mountain bike groups has reduced the bird population by 75% as well as caused erosion of the paths at the park. She said the groups have widened the paths within the park, as well as added a new path. She said she did not feel that it was good policy to let individuals make those kinds of decisions about public property. She added that the area is designated as a Wichita Wildlife Habitat Area. She requested that staff and the Park Board communicate with these park users.

President Miller thanked Ms. Marlett for her comments and suggested that this issue be brought back to the Board for discussion on a later agenda.

REGULAR AGENDA

President Miller requested that the order of the agenda be changed to accommodate a board member who might have to leave the meeting early. She asked that Item #4 – Land for El Zocalo be taken up first on the agenda.

On motion by Dey, second by Brunner, IT WAS UNANIMOUSLY VOTED to change the order of the agenda.

1. **Land for El Zocalo.** President Miller gave a brief background of the item stating that in 2004 the El Zocalo Community Center, Inc. organization approached the Park and Recreation Department with a proposal to build a new facility where the La Familia Senior Center is currently located in Woodland Park. She commented that although the Board supported the services that El Zocalo would offer the community, it was felt that because of a lack of green space in the neighborhood, Woodland Park was not the best location for the proposed facility. She said the Board asked the City to work with the group to try to find a more suitable location. She said City and Park staff researched a number of areas within a few miles of the current location including privately owned land and City owned property, as well as several ideas to “swap” property/land.

President Miller explained that one of the proposals discussed was demolition of a maintenance building at Evergreen Park and entering into a long-term lease agreement with El Zocalo for lease of the property to build a facility and parking. She said several of the pluses of this agreement included utilizing acreage from a larger park than Woodland; converting park property from its use as a maintenance shop to a higher and better use; and other community amenities are located in the area including a public library, a Neighborhood City Hall and Recreation Center, a public playground and a municipal pool, and a Mercado. She said locating the facility in this area would create neighborhood synergy.

President Miller commented that the Board had several options to consider including moving the proposal forward or modifying it. She said the Board could recommend approval to the City Council and request that staff develop a letter of understanding. She said details of a long-term lease agreement could be worked out over a 6 month to one-year period. She said the agreement would include items such as the number of acres required for the facility, size of the parking lot (based on design and function of the building), length of lease, and other details such as insuring that fund raising for building construction was complete prior to entering into a formal agreement with the City.

President Miller stated that before the Board took public comment on the issue, she would like to hear Board member’s comments. Patty Larraga - Institute of Minority Health, Education and Research (IMHER) and El Zocalo Community Center, Inc. provided Board members a *handout*, which was a PowerPoint presentation explaining the mission and purpose of the El Zocalo Community Center, Inc.

Director Kupper reported that El Zocalo’s architect was currently in the process of “superimposing” the building on the property at Evergreen. He said the proposed facility would be between 24,000-30,000 square feet with appropriate parking. He requested that the Board reach a consensus and recommend direction to City Council.

Adams expressed a concern asking, “what was to stop the City from deciding 20-30 years down the road that they want the property back and kicking the group out?” Responding to a question about building demolition, Director Kupper explained that the City would take down the building at North Woodland Park and El Zocalo would be responsible for demolishing the maintenance building at Evergreen Park. He also explained that part of the proposal was that the City would dedicate the property where LaFamilia is currently housed at Woodland Park, as well as a portion of the riverbank near 18th street permanently as parkland. President Miller said the proposal would add approximately 9 acres to the parkland inventory and that the acreage would be special because it would provide public access to the River.

Adams commented that she “heard” that she had agreed to this proposal. She said she wanted to “go on record” as saying that she has had no discussion with anyone about this proposal prior to today. President Miller clarified that she had personally informed Adams by phone about the proposal several weeks ago. Miller concurred that Adams had not indicated support or non-support of the proposal during that conversation.

Dey asked about the employment training to be offered. Patty Larraga clarified that SER Corporation and IMHER both offered job training. She added that two members of the four partner organizations would also be members of the El Zocalo Board. She said El Zocalo would actually take care of management and maintenance of the building. Responding to a question from Leeper, she explained that “El Zocalo” meant plaza or gathering place in Spanish.

President Miller asked if anyone from the public wished to comment on the issue. The following individuals spoke:

- Allison Hamm – President, GreenWay Alliance - said she thought the group was doing a fantastic job and that her remarks in no way reflected on their efforts in the community; however, she said the mission of the GreenWay Alliance was to “protect and expand parkland within the City”. She said they were concerned about parks being used for other purposes and that the Alliance voiced a strong objection to the proposal on that basis. She asked if the members of the Park Board felt comfortable approving such a proposal without knowing exactly how much parkland was in question? She also asked if the proposal would affect Land, Water and Conservation Funds (LWCF) used to either purchase or improve Evergreen Park.

Director Kupper clarified that although LWCF were used to purchase a portion of the park that did not affect this proposal.

- Carlos Contreras – President, El Pueblo Neighborhood Association – said he would like commend the Park Board on making a decision on this issue. He said people were waiting to see what would happen on this proposed compromise. He expressed concern that traffic at Woodland Park would decrease when the LaFamilia Center was removed and suggested that other activities might be added (besides the play equipment and basketball courts) at the park.

President Miller asked if Mr. Contreras was speaking as an individual or as President of the El Pueblo Neighborhood Association? He said he was speaking as both.

- Patty Larraga - Institute of Minority Health, Education and Research (IMHER) and El Zocalo Community Center, Inc. – commented that the City would actually gain more green space with this proposal. She clarified that the LaFamilia Center would not be torn down until the groups were ready to move into the new facility.

President Miller asked if Ms. Larraga was speaking on behalf of the El Zocalo Board? She responded yes. She added that the location was very favorable for the facility. She also expressed concern about the possibility of having to move in 20 years, after they had invested money in the building. She requested that the City study that carefully. She also clarified that the building architecture would fit in with the neighborhood.

- Brenda Kelley - United Methodist Outreach Service (UMOS) and El Zocalo Community Center, Inc. – stated that all four organizations would share in maintenance and upkeep of the facility. She also mentioned tree removal, which might have to take place during construction. She said park staff said they would be removing “life expectancy” trees to make room for the facility.
- Chris Navarro – Executive Director, LaFamilia Senior Center – said she was proud and happy to be a part of what she was seeing and that she looked forward to the facility being in Evergreen Park a long time.

There being no other speakers, President Miller requested that discussion be brought back to Board. Leeper commented that he was in favor of the proposal. He asked that the building footprint match current park guidelines as far as not changing the character of the area. He asked if the Board would have approval of the building design? Director Kupper commented that since the facility was being constructed on public property, the architect would probably be required to present the proposed building design to the City’s Design Review Council for approval. Leeper asked about possible future expansion, such as building a playground or additional structures. Director Kupper explained that the Memorandum of Understanding (MOU) could incorporate expansion and give the group enough latitude to continue to grow. Patty Larraga clarified that the building architecture was similar to that of the Evergreen Library.

Dey said he had several concerns. Number one, by approving this proposal, the Board would be reversing its previous position on use of parkland and opening themselves and the Park and Recreation Department up to other requests from non-profit groups to use parkland. He said it would be setting a precedent. Number two, he said other non-profit businesses have to pay rent for space their organizations use. And number three, he said the MOU should be clear that if the facility should run into financial difficulty (such as the Indian Center), the City would not “bail the organization out”.

President Miller said the Board needed to ask themselves the following questions: Why was El Zocalo different from other non-profit organizations? Why are the services offered by El Zocalo (senior services, health and other) different from what other non-profits offer? And, why El Zocalo’s services are appropriate for a park area?

Brunner commented that he felt the Board had the authority to evaluate each case individually, and that approval of this proposal did not necessarily set a precedent. He said his main concern was location. He said Woodland Park did not “feel right” to him and that Evergreen Park was a better location. He added that placing El Zocalo at Evergreen Park would enhance what was already in the area. He concluded by stating that safety was also an issue and that there was more activity and traffic at Evergreen Park. He said he supported the proposal.

President Miller commented that senior services and health stations already existed at a number of recreation centers and that there was already a precedent for these types of services in park areas. She added that this would also create synergy with other social services that were good for the community.

On motion by Adams, second by Leeper, IT WAS UNANIMOUSLY VOTED to recommend to the City Council that they enter into a Memo of Understanding with El Zocalo to develop a plan for leasing to El Zocalo the land currently being used as a maintenance shop for Park and Recreation at Evergreen Park. The plan would include El Zocalo razing the existing maintenance building and building a new structure and parking lot. Terms of the lease

agreement should include that the maintenance shop not be raised, nor new construction begun until all the funds have been raised for the new building and parking lot. The Board further recommended as a part of this plan that the City Council dedicate as parkland a portion of the riverbank at 18th Street and the river (approximately 9 acres), as well as the green space at North Woodland that will become available when the old bathhouse (facility currently being used by LaFamilia) is torn down. It was further recommended that the existing maintenance facility at Evergreen Park not be torn down until sufficient funds had been raised to build the proposed El Zocalo facility.

2. **On motion by Brunner, second by Dey, the minutes of the January 9, 2006, regular meeting and workshop were reviewed and approved unanimously.**

Cherylane Adams left the meeting.*

3. **Park Signage.** Director Kupper gave a brief background on the item stating that in December, 2004, the Park and Recreation Department received City Council approval to originate a request for proposal (RFP) to hire a consultant to create a new identity and sense of purpose for park areas through new signage. He said in May, 2005, the contract was awarded to Gardner Design. He said a representative of Gardner Design was at the meeting to present the final design concept, which would then be presented to the City's Design Review Council for approval.

Larry Hoetmer, Landscape Architect, introduced Bill Gardner from Gardner Design and Steve Perry from McCluggage Van Sickle & Perry. Bill Gardner referred Board members to a PowerPoint presentation, which depicted three-dimensional views of different signs and sizes at various locations throughout the park system. He explained that the Recreation and Park logo would appear on each sign, in addition to the City of Wichita logo. He said the Recreation and Park logo represented the river and trees, clouds and paths. He said they had been directed to place the verbiage "Recreation" before "Park". He added that there had been extensive discussion concerning where signs would be sited at each park and recreation center, the choice of the blue background and green column for colors, choice of materials for sign construction, as well as the size and scale of each sign. He commented that he felt the colors and logos of the City of Wichita and "Recreation and Park" worked well together.

Steve Perry, McCluggage Van Sickle & Perry, commented that they were concerned about vandalism because the signs would be in public spaces. He said various materials were discussed and it was decided that the base and background for each sign would be pre-cast concrete; with powder-coated aluminum lettering, aluminum paneling and other design features. He explained that the lettering would be pre-made and then attached flush to the paneling. He said the Recreation and Park logo would be sandblasted into the concrete. He said there was also discussion of "up lighting" the signs at various locations. He said the next step was development of construction and bid documents in order to obtain the best price.

Dey asked what was the rationale behind "Recreation and Park" and not parks? Director Kupper commented that Recreation and Park fit better in the mock up. He added that it was the "Park and Recreation Department" singular on park, not plural. Leeper said he had no problem with the colors or use of concrete, but thought the signage was a little too cold and corporate in appearance. There was brief discussion regarding construction materials on various elements of the signage and whether

the concrete would be gray or creamy in color. Perry indicated the creamier color. Dey asked about the logo and signage at the Great Plains Nature Center. Director Kupper stated that would not change.

President Miller asked if anyone from the public wished to comment on the issue. The following individuals spoke:

- Rosemary Weber – GreenWay Alliance – asked about the possibility of changing the wording on the signs to “Park and Recreation” and whether “Recreation and Park” was based on a philosophical change? She also asked about the size of signs and signage for bike and walking trails. Director Kupper explained that the icon fit better as “Recreation and Park”. He said the signs would be either 4’ x 4’ or 6’ x 6’. He added that staff and the consultant were discussing other ideas to mark bike paths with information such as distance and entrances and exits, which may include use of the green column only.

Leeper asked if any consideration had been given to incorporating other information on the signs such as activities. Director Kupper explained that the purpose of the signage was to identify facilities as City of Wichita, Park and/or Recreation. Responding to a question from Leeper, Steve Perry explained that staff had reviewed and discussed other design options.

Leeper moved that the item be tabled until more members of the Board could be present to vote on the issue. Motion died due to lack of a second.

On motion by Miller, second by Brunner, IT WAS VOTED to give staff approval to move forward with the signage project. Motion carried 3-1. Leeper – No.

4. Discussion of Riverbank Replat. It was noted that President Miller had requested this item be placed back on the agenda. President Miller referred Board members to a handout, which was a draft copy of a resolution declaring and establishing a moratorium on the replatting of property adjacent to the Arkansas River for a period of one year. She reminded Board members that this was requested to accommodate planning by the City, Visoneering, WAMPO and other organizations regarding access to and recreational use of the Arkansas River. She also added that the Board had put off making a decision on Mr. Harshfield’s request for a replat until additional facts and information were gathered. She said she felt the Board needed to take action on Mr. Harshfield’s request prior to initiating the moratorium.

Mike North, City Attorney, briefly reviewed the background on the issue stating that there were two separate issues. He said one was interpretation of where the river’s high water mark was located and the other was WAMPO’s action on Mr. Harshfield’s application. He said City Ord. 9.28.020 placed control of that portion of the Big Arkansas River which sits between the high water marks, defined in case law as “the line to which the river rises in time of ordinary high water”, with the Board of Park Commissioners, subject to the rights and interests of the State of Kansas and the United States Corp of Engineers. Dey said he wanted a clear line on how the Board was to handle these situations in the future. North commented that he did not feel that Mr. Harshfield’s proposed replat got anywhere near the high water marks. Leeper stated that he felt the Board needed make a decision on Mr. Harshfield’s request immediately, unless there was some legal question preventing it.

- M.S. Mitchell – said the reserve along the river was dedicated for drainage, river bank maintenance and river beautification. He said the slope of the ground is considerably higher

than the Corp of Engineer profile. He said at the time the dedications and platting occurred, the planners did not expect the river channel to change the way it has. In addition, he said no mention was made of public access to the river for recreational purposes. He mentioned the high water mark in terms of the 100-year flood plan. He said he believes a survey needed to be conducted and the ordinance redrafted. He said he did not want to see structures built on the slope. He concluded by saying that he felt the City needed to preserve what was created by the dedications.

- Mert Buckley - Attorney – said he was representing Mr. Curtis Harshfield in the matter. He provided Board members a handout, which was a quarter section map of the N.E. ¼ Sec. 12, TWP 27 S RI.W. reflecting the Indian Hills 3rd Add, Lot 8 and Snodgrass 3rd Add, Lot 6, both properties owned by Mr. Harshfield adjacent to each other. He explained that the reserve on Lot 6 jutted further into the River than the reserve on Lot 8 and that Mr. Harshfield was requesting the replat to even out the property line along the river. He mentioned that the reserve was dedicated for drainage, riverbank maintenance, flood control and river beautification.

There was considerable discussion regarding ownership of the reserve, which Mr. Buckley believed rested with the property owner subject to the right of the City or Corp of Engineers to maintain it. He mentioned that Mr. Harshfield has been maintaining the area for years. President Miller asked if Mr. Harshfield paid taxes on the reserve and if the reserve was on his property title. She stated that was the issue -- who had title to the reserve? Mr. Buckley reported that First American Security was completing a title search and that it did not appear that the City's name was on the reserve. Mr. Harshfield commented that he merely wanted to align the property lines along the river, which included about twenty feet of the high bank along lot 8 to install landscaping and other improvements.

Brunner asked why the Park Board was being asked to make the decision on the replat if the City did not have legal title to the property. It was the general consensus that ownership of the reserve needed to be clarified. Director Kupper stated that the City maintains the reserve and river corridor. Mike North said that he did not feel the Park Board had any jurisdiction over the property in question. He suggested that Park Board could either make a recommendation or refer the issue back to MAPC. Brunner said he did not feel the Park Board was the entity to make a decision on the issue or even a recommendation. President Miller reminded Board members that the Board needed to be involved with public access to the river, which was related to park and recreation.

Miller moved to recommend that the City Council adopt the moratorium resolution, but to exclude the current case before the MAPC. She added that the Board felt the current ordinance needed to be clarified.

Leeper also mentioned that it was questionable whether the Board had any jurisdiction and to request that Mr. Harshfield's request be moved through the process. He said he felt the issues should be dealt with in two separate motions. President Miller withdrew her previous motion.

On motion by Leeper, second by Brunner, IT WAS UNANIMOUSLY VOTED that the Park Board did not feel they had any jurisdiction to decide whether to replat this particular piece of property and that this question was a MAPC issue.

On motion by Miller second by Dey, IT WAS UNANIMOUSLY VOTED to defer action on the moratorium resolution until the next meeting.

On motion by Dey, second by Brunner, IT WAS UNANIMOUSLY VOTED to take up Item #7 – Naming of Park at 11th and Indiana next on the agenda.

5. **Naming of Park at 11th and Indiana**. Dey gave a brief background of the issue reminding Board members of the decision not to go with the proposed name of Walter's Memorial Park and instead referred the matter back to the neighborhood association and District Advisory Board I for input and recommendation. He referred Board members to a Memorandum dated February 2, 2006, from Paula Givens, President, McAdams Neighborhood Association and Glen Dey, District I Park Board Member, requesting the Park Board's endorsement of the proposed name of "*Paul Laurence Dunbar Park*" after the noted poet and author. Background and rationale for the proposed name was attached to the memorandum. Paula Givens, President of the McAdams Neighborhood Association, thanked Glen Dey for working with the group on the project.

On motion by Dey, second by Miller, IT WAS UNANIMOUSLY VOTED to recommend that the City Council name the park "*Paul Laurence Dunbar Park*" after the noted poet and author.

6. **Park and Recreation Master Plan**. President Miller stated that Park and Planning staff have been working on ideas developed by the Board at the Workshop Session in January. She said Sedgwick County has been invited to participate in the study, thereby making it a regional master plan. She said staff has also made contact with Visioneering staff at the Chamber of Commerce, and felt they might be able to bring additional resources to the project and facilitate public hearings and gathering public input and opinion on the project. She said financial resources might also be available from these two sources including grant funds. She said Visioneering would get back with staff and let them know if they voted to "adopt" the Park and Recreation Master Plan as a project.

Director Kupper said staff met with Visioneering and that they were recommending a seven countywide plan. He said Visioneering would be able to provide business, organization, user information and other contacts.

Dey asked what the Board needed to prepare for the joint meeting/workshop with the City Council. Director Kupper commented that the Board needed to communicate their vision for the Master Plan and get City Council feedback. President Miller suggested using the flow chart discussed at the January Workshop. There was brief discussion concerning the meeting with Visioneering. It appeared that Director Kupper and President Miller had differing views on how Visioneering would approach the project. President Miller and Glen Dey agreed to form a subcommittee to prepare a summary for presentation to the City Council. She asked other Board members to communicate their ideas and thoughts on the summary to them via e-mail.

7. **River Access Plan**. Director Kupper explained that staff was working with the State of Kansas Department of Wildlife and Parks on the \$30,000 grant that had been received to create canoeing opportunities along the Arkansas River. He mentioned the canoe launches that the department has constructed at Garvey Park and the South Arkansas River Greenway. He said there is a problem getting people past the Lincoln Street dam. He said staff would seek City Council permission to apply for the project, as well as attempt to enlist the assistance of Sedgwick and Reno Counties and other cities along the river such as Derby, Mulvane and Hutchison. He said additional grant monies might also be available from the cities that choose to participate. He said staff would identify public land along the river and distances between each proposed site and write a RFP to hire a consultant to

develop a scope of services. Leeper asked if campgrounds would be included. Director Kupper said not at this time. Responding to a question from the audience, Director Kupper mentioned that the plan could be completed within one year.

8. **Director's Update**. Director Kupper reported briefly on the following:

- Mary Herzberg – commented that the Department lost a member of the family when Landscape and Forestry secretary of eleven years Mary Herzberg passed away suddenly Saturday.
- Encroachments at Country Acres – Brunner reported that all but two property owners have removed the encroachments on park property.
- Sedgwick County Master Plan – President Miller asked about an RFP Sedgwick County had recently issued for a pathways Master Plan. Director Kupper said he thought WAMPO would provide input into that plan. President Miller asked if the Park and Recreation Master Plan was part of that or separate. She said she felt the Park and Recreation Master Plan needed to be coordinated with whatever pathways master plan the County might be developing. She requested a presentation on the project on the March agenda.

Dey asked how the County's plan fit in with what the Park Board was doing. There was discussion concerning providing connections between parks, alternative transportation and ISTEA funding and rail banking. Larry Ross, reported that the City of Wichita is responsible for the rail-banked area along Kellogg to 119th St.; Sedgwick County from 119th St. to 135th St.; and the Prairie Travelers from 135th St. to 295th St.

There being no further business, the meeting adjourned into the Workshop Session at approximately 6:20 p.m.

Janet Miller, President

ATTEST:

Maryann Crockett
Recording Secretary